

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MISSOURI

GUADALUPE ADAMS, Individually,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Case No. 6:16-cv-3272
	:	
NEL-AISHA HOSPITALITY, INC.	:	
A Limited Liability Company	:	
Defendant	:	
_____ /	:	
	:	

**MOTION TO STRIKE ANSWER**

Plaintiff, Guadalupe Adams, hereby moves for this Honorable Court to Strike Defendant's Answer. In support thereof, Plaintiff states as follows:

1. On August 2, 2016, Plaintiff filed an Amended Complaint against, Defendant Nel-Aisha Hospitality, Inc.
2. Nel-Aisha Hospitality, Inc., is a Domestic Corporation with a Registered Agent of Dilip B. Patel and an address of 900 N. 18<sup>th</sup> Street, Ozark, Missouri, 65721. (See Exhibit A)
3. On August 24, 2016, Nel-Aisha Hospitality, Inc. filed an Answer Pro Se.
4. The illegible signature on the Answer is purportedly signed by Nel-Aisha Hospitality, Inc.
5. There is no attorney of record on the docket for Defendant.

### **BRIEF IN SUPPORT**

The prevailing law is quite clear on this matter. A corporate entity may not appear pro se on its own behalf. Carr Enterprises Inc. v United States, 698 F.2d 952, 953 (8th Cir. 1983) (“It is settled law that a corporation may be represented only by licensed counsel.”)

It appears from the record that the Answer on file was prepared and filed pro se, and not by an attorney. As Defendant is a corporation, they must be represented by counsel. In fact, this Honorable Court recently struck a pro-se Defendants Answer in the matter of Adams v Arvind Motel Ventures, LLC, Docket No. 6:16-cv-3271, order of August 2, 2016. [DE 7]

Since Defendant is not an attorney, their Answer should be stricken.

### **CONCLUSION**

Wherefore, Plaintiff respectfully requests that Defendant’s Answer be stricken for failure to obtain an attorney.

Respectfully Submitted,

/s/ Pete M. Monismith  
Pete M. Monismith  
3945 Forbes Ave., #175  
Pittsburgh, PA 15213  
724-610-1881 (phone)  
412-258-1309 (fax)  
[pete@monismithlaw.com](mailto:pete@monismithlaw.com)

### **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of Plaintiff's Motion to Strike Defendant's Answer was served upon all parties of record via the Court's CM/ECF system on August 26, 2016, and by mailing said document to:

Nel-Aisha Hospitality, Inc  
c/o DILIP B. PATEL  
900 N. 18TH STREET  
OZARK, MO 65721

/s/ Pete M. Monismith